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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-first year

Identical letters dated 18 August 2016 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

It is with regret that I must draw your attention to the ongoing misery and hardships being endured by the Palestinian people, who continue to suffer the injustice and indignity of Israel's illegal foreign occupation. Tensions are surging as Israel, the occupying Power, presses on with its campaign of repression against Palestinian civilians in tandem with its destructive and gluttonous colonization campaign, both with grave consequences for our people and the prospects for peace.

Palestinians continue to be killed and injured by the Israeli occupying forces, in deadly military raids, and by extremist Israeli settlers. Palestinians continue to be arrested by the dozens and continue to be imprisoned and detained without charge or trial. Children have not been spared, but are rather growing in numbers on both the casualty and prisoner lists. Palestinian homes and properties continue to be seized and demolished at unprecedented rates. Palestinian families continue to be forcibly displaced, callously rendered homeless and destitute. And the State of Palestine continues to be fragmented and scarred as the occupying Power persists with its settlement policies aimed at colonizing and de facto annexing as much Palestinian land as possible. All of this is being done in grave breach of the Fourth Geneva Convention and against the backdrop of a deafening silence and paralysis of the international community, particularly the Security Council.

While it is impossible to list all of the Israeli violations and crimes perpetrated in the recent period in the Occupied Palestinian Territory, including East Jerusalem, I am compelled to highlight certain incidents reflective of the systematic, unlawful behaviour and insidious intentions of the occupying Power, neither of which render any hope for progress towards peace in the near future.

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Palestinian civilian casualties

Yesterday, 17 August, the Palestinian people buried yet another Palestinian child, who was brutally murdered by the Israeli occupying forces, destroying another Palestinian family and further traumatizing another Palestinian community. Mohammed Abu Hashhash, 17 years old, was killed by live ammunition shot at his chest by an Israeli soldier during a raid by the occupying forces in Al-Fawwar refugee camp near Al-Khalil on 16 August. This military raid, during which Israeli occupying forces forcibly ransacked homes, interrogated dozens of civilians and fired live ammunition, tear gas and rubber-coated bullets at residents who were protesting the raid, also resulted in the injury of 32 other Palestinians. In this regard, it must be pointed out that the Al-Khalil area has gravely suffered in the wave of violence and repression meted out by the Israeli occupying forces since October 2015, with at least 64 Palestinian civilians from the Al-Khalil area killed since then. Their plight underscores again the need for protection for the Palestinian people under Israeli occupation in accordance with international humanitarian law.

Palestinian prisoners and detainees

Another recurrent feature of the occupation's military raids into Palestinian areas, in particular Palestine refugee camps throughout the Occupied West Bank, which continue to be heavily targeted by the Israeli occupying forces, is the arrest and detention of Palestinian civilians. Every day, Palestinians are seized, arrested, detained and imprisoned by the Israeli occupying forces, the majority of them are subjected to beatings, intimidation, forced interrogation, humiliation and other acts of physical and psychological abuse, in many cases amounting to torture. For example, on 17 August, at least 24 Palestinians were arrested in overnight raids throughout the West Bank, 14 of them from the area of Al-Khalil, highlighting again the intense repression by the occupying forces against the Palestinian civilians in that area. Palestinian children and youth, especially males and some as young as 12 years old, continue to be among those targeted and detained by the occupying Power and are routinely denied communication with their families. As reported by the Palestinian Committee of Prisoners' Affairs, the Israeli occupying forces have detained 560 children from Occupied East Jerusalem alone, since the start of 2016.

In this regard, Israel continues to hold more than 700 Palestinians under administrative detention, jailing them indefinitely without charge or trial. In the recent period, several Palestinian detainees have undertaken hunger strikes against such abuse. Some of the more worrying examples include the plight of Waleed Masalma, who has been transferred to an Israeli medical facility owing to deteriorating health resulting from a hunger strike, and the plight of Bilal Kayid, who has entered his sixty-fourth day of a hunger strike in protest at his administrative detention and remains handcuffed to a bed at an Israeli hospital since last month. Bilal is suffering from the inability to see, hear or walk, as well as complications in his stomach, lungs and kidneys, and yet Israel continues to inhumanely detain him. At least 100 other Palestinian prisoners began hunger strikes on 15 August, in solidarity with Bilal and other detainees on hunger strike, including, among others, brothers Mahmoud Balboul and Mohammed Balboul, who have been on hunger strike since 1 and 4 July respectively, and Omar Nazzal, a prominent journalist who has been detained without charge since April 2016, began his strike on 4 August, all in protest at the abuses of the occupying Power against them.

We draw the international community's attention to the plight of those Palestinian detainees, along with the more than 7,000 other Palestinians being held in Israeli prisons and detention centres, among them children, women and parliamentarians, and demand once again respect for their human rights and their immediate release. We must also draw attention to the recent death of a former Palestinian prisoner, Naim Shawamrah, age 46, who died on 16 August as a result of complications from muscular dystrophy, which emerged during his 19 years in Israeli prison, but for which he did not receive proper medical care. His death brings to the forefront as well the repeated and deliberate medical negligence of Palestinian prisoners and detainees by Israel and the grave consequences as a result. Israel, the occupying Power, must be held accountable for all such violations and crimes.

Israel's illegal settlement activities and home demolitions

At the same time, as indicated above, Israel has not for a minute ceased its settlement colonization campaign across the Occupied West Bank, including East Jerusalem, exploiting the international community's paralysis to continue implementing its illegal expansionist agenda and continue destroying the two-State solution. Just two days ago, the occupying Power approved the construction of 4,200 more units in the illegal settlement of "Modi'in", west of Ramallah, and approved expansion plans for the illegal settlement of "Ramot" in Occupied East Jerusalem. Also recently, it has been revealed that Israel is conducting a so-called "land survey" in the southern Occupied West Bank near Bethlehem and levelling lands near the village of Nahla with the intention of declaring "State lands" in the area in order to construct another illegal Israeli settlement.

If carried out, such an illegal scheme would further isolate Bethlehem, which is already surrounded by settlements and Israeli-only bypass roads on three sides, and would further fragment and impair the contiguity and integrity of the West Bank, totally undermining the possibility and viability of the two-State solution on the basis of the pre-1967 borders. In this regard, it must be highlighted that Israeli settlements occupy and control at least 42 per cent of the land of the West Bank, whether through housing units, agricultural and industrial facilities, bypass roads and other infrastructure, including military. Moreover, it is an understatement to recall that all such Israeli settlement policies and measures constitute grave breaches under the Fourth Geneva Convention, that is to say, war crimes, as well as under the Rome Statute of the International Criminal Court.

Of course, Israeli settlers continue also with their violence and terror against Palestinian civilians and their properties. Extremists continue to raid Palestinian villages, harassing, intimidating and attacking civilians, including in particular children and herders, and also continue their incursions at Al-Haram Al-Sharif in Occupied East Jerusalem, further stoking tensions. In the recent period there was also a Palestinian casualty at the hands of Israeli settlers, when an 85-year-old Palestinian man, Mousa Mohammed Salman, a shepherd, died on 9 August after he was run over by an Israeli settler driving a motorcycle near Khirbet Al-Marajim near Nablus.

All the while, and in direct correlation to this illegal settlement campaign, Israel has continued non-stop with its malicious destruction of Palestinian homes, also in grave breach of the Fourth Geneva Convention and in defiance of the

international calls to halt such actions. The intensity of demolitions has been highest in "Area C", underlining the direct connection to Israel's illegal settlement network and expansionist aims.

One of the most glaring among recent examples occurred on 16 August, when Israeli occupying forces demolished eight homes on the outskirts of Sair village, again in Al-Khalil area, rendering homeless and forcibly displacing 50 Palestinians of the same extended family, the Shalalda family, including several children. Israeli soldiers stormed the area of Jurat al-Kheil, east of Sair, and forcibly removed eight families from their homes at gunpoint and an excavator then demolished the homes under military supervision, all under the so-called pretext of lacking Israeli building permits.

Similar inhumane actions continue to be carried out by the occupying Power on a near daily basis under such offensive and shocking pretexts and in direct violation of international humanitarian law. This includes other demolitions, such as the destruction, on 16 August, of multiple structures in Palestinian communities in the area of Occupied East Jerusalem and of a Palestinian home in the Beir Ouna neighbourhood of Beit Jala near Bethlehem, which left 20 Palestinians of the Zreina family homeless; and the destruction of European Union-funded Palestinian homes on 9 August in Umm Al-Kheir in southern Al-Khalil, which rendered homeless and forcibly displaced 27 people, including 16 children. Also, on 17 August, Israel issued demolition orders against a primary school in the Bedouin village of Khan Al-Ahmar in the East Jerusalem area. The school, built by an Italian aid organization, Vento Di Terra, serves 160 children from five different Bedouin communities and is located in the sensitive so-called "E1" area and it has been slated for destruction for years, along with other civilian structures, as part of a larger Israeli plan to forcibly transfer at least 2,800 Bedouins, the majority of them Palestine refugees, in order to facilitate the expansion of illegal Israeli settlements in the area.

In this connection, it is necessary to draw attention to a recent report by B'tselem, an Israeli human rights organization, which has found that Israel has demolished more Palestinian homes in the first six months of 2016 than in all of 2015. According to figures from the Office for the Coordination of Humanitarian Affairs, in this regard, the occupying Power has demolished 726 structures in the Occupied West Bank, including East Jerusalem, in 2016 thus far, on the pretext that they lacked "building permits", forcibly displacing more than 1,000 Palestinian civilians. The figures do not even include punitive home demolitions carried out by the Israeli occupying forces against the families of Palestinians alleged to have carried out attacks against Israeli civilians or occupying forces.

We call on the international community to stand firmly against all such illegal Israeli actions against the Palestinian people and their land. An unequivocal demand must be made for a halt to all settlement activities by Israel, the occupying Power, in all areas of Occupied Palestine, including in and around Occupied East Jerusalem. The Security Council in particular has special and clear responsibilities in this regard and must act to uphold and implement its own resolutions, rather than allowing Israel to continue to make a mockery of the Council and of international law, which it blatantly abuses and exploits only for its own purposes. It is high time for the international community to move beyond verbal condemnations of Israel's

illegal colonization schemes and appeals for cessation; it is time for serious and bold action aimed at compelling Israel to halt these crimes once and for all.

After nearly 50 years of this belligerent foreign occupation, it is time for the international community to step up to its obligations and act in line with international law and historic commitments, including to the two-State solution for peace based on the pre-1967 borders and the relevant United Nations resolutions, as well as the Madrid principles and the Arab Peace Initiative. Professions of support for the two-State solution and efforts for preserving the possibility of realizing it will continue to ring hollow if Israel is allowed to continue its theft, colonization and destruction of Palestine with impunity, rendering the two-State solution null and void and crushing any hopes for peace. We thus call again on the international community, at the forefront the Security Council, to take urgent measures to uphold the law, to save innocent lives and to salvage the prospects for peace. This clearly requires holding Israel accountable under international law, including humanitarian and human rights law, and this must start with measures to stop Israel's settlement campaign, a matter on which there is longstanding international consensus and a political, legal and moral obligation to act.

The present letter is in follow-up to our 591 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 27 July 2016 (A/ES-10/727-S/2016/657), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer
of the State of Palestine to the United Nations